

Applicant : Xiaodong Jin et al
Serial No. : 10/753,101
Filed : January 6, 2004
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Attorney's Docket No.: MP0331 / 13361-062001

REMARKS

Claims 1-37 remain pending in the application. Applicant respectfully requests reconsideration in view of the amendments above and these remarks.

Applicant thanks the Examiner for granting the courtesy of an in-person interview conducted Nov. 17, 2005 in which Examiner Ekong, the Examiner's supervisor, Examiner Eng, and the undersigned participated. During the interview, Applicant's attorney noted that the present application and United States Patent No. 6,897,729 to Jin et al. were, at the time the invention of the present application was made, owned by Marvell Semiconductor, Inc. or subject to an obligation of assignment to Marvell Semiconductor, Inc. Further, Applicant's attorney indicated that, in view of the filing date of the present application being after Nov. 29, 1999, the Jin reference is disqualified as prior art under 35 USC 103. Applicant agreed to provide evidence of common ownership or obligation of assignment in this response. Further, Applicant's attorney discussed with the Examiner subject matter of United States Patent No. 6,169,449 to Hasegawa. No agreement was reached.

Objection to the Specification

The specification was objected to by the Examiner because of a minor informality in the abstract. Applicant has amended the specification to correct the noted informality. A new abstract has been provided. No new matter has been added.

35 USC 103 Rejection of Claims 1-37

Claims 1-6, 8-13, 24, 26, 27, 31, 33 and 34 stand rejected under 35 USC 103 as being unpatentable over United States Patent No. 6, 897, 729 to Jin et al. ("Jin") in view of United States Patent No. 6, 169, 449 to Hasegawa ("Hasegawa").

Claims 7 and 14 stand rejected under 35 USC 103 as being unpatentable over Jin, in view of Hasegawa, and further in view of US Publication No. 2004/0102173 A1 to Darabi.

Claim 15-23, 25, 28-30, 32 and 35-37 stand rejected under 35 USC 103 as being unpatentable over Jin, in view of Hasegawa, and further in view of United States Patent No. 6, 766, 156 B1 to Hayashihara.

Applicant respectfully traverses the grounds for all of these rejections.

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Jin is Disqualified as a Prior Art Reference

The present application was filed January 6, 2004. The present application and Jin were, at the time the invention of the present application was made, subject to an obligation of assignment to Marvell Semiconductor, Inc. Copies of the assignments associated with the present Application and Jin are attached as exhibits to this response. Applicant's note that Jin was a continuation of an application filed as serial number 10/301,349, assignments associated therewith being presented here (along with filing receipts re same). Jin was filed prior to the present application but issued after the filing date of the present application. Accordingly, Jin is not a proper reference under 35 USC 103 (as 35 USC 102 (e) art). Applicant respectfully asserts that for this reason alone, the rejection of any claims under 35 USC 103 using Jin is improper. Applicant respectfully requests withdrawal of all such rejections. Applicant believes that the claims are in condition for allowance at this time.

Applicant notes that in accordance with the MPEP 706.07(a), a next action if necessary shall be non-final. Applicant has not amended the claims as part of this response and no new information based on an IDS has been filed.

Applicant respectfully requests a one-month extension of time up to and including February 21, 2006. A submission of Credit Card Payment Request authorizing the above fee of \$120.00 is attached.

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Please apply any other required fees or any credits to deposit account 06-1050,
referencing the attorney docket number shown above.

Respectfully submitted,

Date: _____

2/17/06



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